IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 12.07.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice V.DHANAPALAN

Habeas Corpus Petition No.581 of 2006

S.Radhakrishnan ... Petitioner

Vs.

1.The State, rep. by
The Inspector of Police,
Sholavaram Police Station,
Chennai-600 067.

2.State rep. by the
Inspector of Police,
Pallathur Police Station,
Pallathur, Karaikudi Taluk,
Sivaganga District.

3.Man Sing

4.Balu @ Balasubramaniyan .. Respondents

Petition under Article 226 of the Constitution of India for the issuance of a Writ of Habeas Corpus to direct the respondents to produce the detenues viz., Muthulaxmi, Sivamanikandan and Seshakumar into this Court and set them free.

For Petitioner : Mr.S.Mohanakrishnan
For Respondents : Mr.M.Babu Muthu Meeran
Addl. Public Prosecutor

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O R D E R

(Order of the Court was made by P.SATHASIVAM,J.)

The petitioner, by name S.Radhakrishnan filed this petition seeking direction to the respondents for production of the detenus viz., Muthulaxmi, his wife, Sivamanikandan and Seshakumar, his minor children, before this Court and set them free.

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2. Pursuant to our direction, all the three detenus appeared before us. We enquired Muthulaxmi. According to her, though she married the petitioner and the two children were born to them, due to family circumstances, she is not willing to live with the petitioner. Inspite of our spersuasion, she expressed that she is not willing to go with the petitioner. She also informed us that both the children are under her custody and they are going to school at Karaikudi.

3. In the light of the assertion of the detenu Muthulaxmi and considering the tender age of the two children, we are not inclined to accede the request of the petitioner. In so far as the custody of the minor children, the petitioner is free to approach the appropriate Court, if he so desires.

4. With the above observation, this petition is closed.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1.The Inspector of Police,
Sholavaram Police Station,
Chennai-600 067.

2.The Inspector of Police,
Pallathur Police Station,
Pallathur, Karaikudi Taluk,
Sivaganga District.

3. The Public Prosecutor,
High Court, Madras.

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1 cc To M/S.S.Mohanakrishnan., Advocate, SR.29988.

HCP. No.581 of 2006

AK(CO)
RVL 19.07.2006

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